

Gregory & Associates

Honorable Colleen Kollar-Kotelly
U.S. District Court, District of Columbia

■ c/o Renata B. Hesse
Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

RE: U.S. v Microsoft

Dear Judge Kollar-Kotelly,

I would like to express my dissatisfaction with the settlement between Microsoft and the Department of Justice. I feel that the settlement, made virtually no impact on protecting consumers from companies like Microsoft who have monopolies in the marketplace.

The settlement has many loopholes and its level of enforcement is questionable, this does not provide consumers the level of protection they need for greater consumer choice. In addition the settlement leaves Microsoft in a position to continually raise prices for their products. It is my understanding that many consumer groups have opposed the settlement.

The agreement states that Microsoft "shall not enter into any agreement" to pay a software vendor not to develop or distribute software that would compete with their products, but it is Microsoft that will be the final decision maker on that provision. The agreement also states that Microsoft must share certain technical information, but only if it would not harm the company's security or software licensing. Again, Microsoft will be the final decision maker regarding this matter. The settlement does nothing to deal with the effects on consumers and businesses of technologies such as Microsoft's Passport.

The enforcement of the settlement is questionable at best. The three person technical committee that will be assigned to monitor any violations made by Microsoft of the agreement is comprised half of people selected by Microsoft, and if any violations are found, the work of the committee cannot be admitted into court.

I find these inadequacies to be too broad to accept this settlement. I hope that Microsoft will not be able to continue to preserve its monopoly while consumers and competitors are subject to the practices that are supposed to be protected by antitrust laws.

Thank you for your time.

Regards,



CC: Attorney General, Tom Reilly

77 North Washington Street
Boston, MA 02114.1908
Phone 617.367.6449
Fax 617.367.6299
Email chris.gregory@nec.org

